There is no express Law in Pennsylvania, or New Jersey which gives a Right [redacted] to hold Negroes or Mullatoes in Slavery; indeed such a Law made without the Consent of the Parties interested, would be arbitrary, unsupported by any Principles of rational Jurisprudence, and inconsistent with the known Rights of Mankind. It is absurd to argue from a Man's Complexion or Colour, that he has more or less Rights than another. The Acts of Assembly of the several Provinces however seem to recognise the Right of Slavery, and the same has been constantly acceded to by the Courts of Justice; by which Means the Notion is now so firmly rivetted, that in Opinions upon particular Cases, it is generally taken up, under the Idea of Legality. The Acts of Assembly however authorize Manumission, and when a Slave is freed and manumitted according to the Directions of those Acts, it is very clear they are Freemen and tho in New Jersey they are restrained from holding Lands in fee Simple or fee Tail, yet as to every other Kind of Property, they are in the same Predicament with a Person born free; which being admitted, it follows that they may purchase Slaves or any other personal Property, they may buy and sell, make Wills & transmit their Estates to their Children and Kindred under the same Rules with other Subjects. But it seems Some have entertained Fears that if upon a Manumission they should become a Security for the Party manumitted, and he should purchase other Negroes, and those Negroes should be unable to support themselves, they would be liable upon their indemnifying Bond. This Apprehension however must appear groundless when it is considered that only the Party manumitted is the Object of Indemnification, and I am clear in Opinion that it cannot extend any further

further and that the Swedes will run no Risque of that sort.

Nicholas Walsh

Philadelphia Aug. 15. 1771

Ch F. 7.24

RW 134(1)

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Nicholas Waln's Opinion
on the Right of Free Negros
to purchase Negro's or other property.

Aug.t 16. 1771